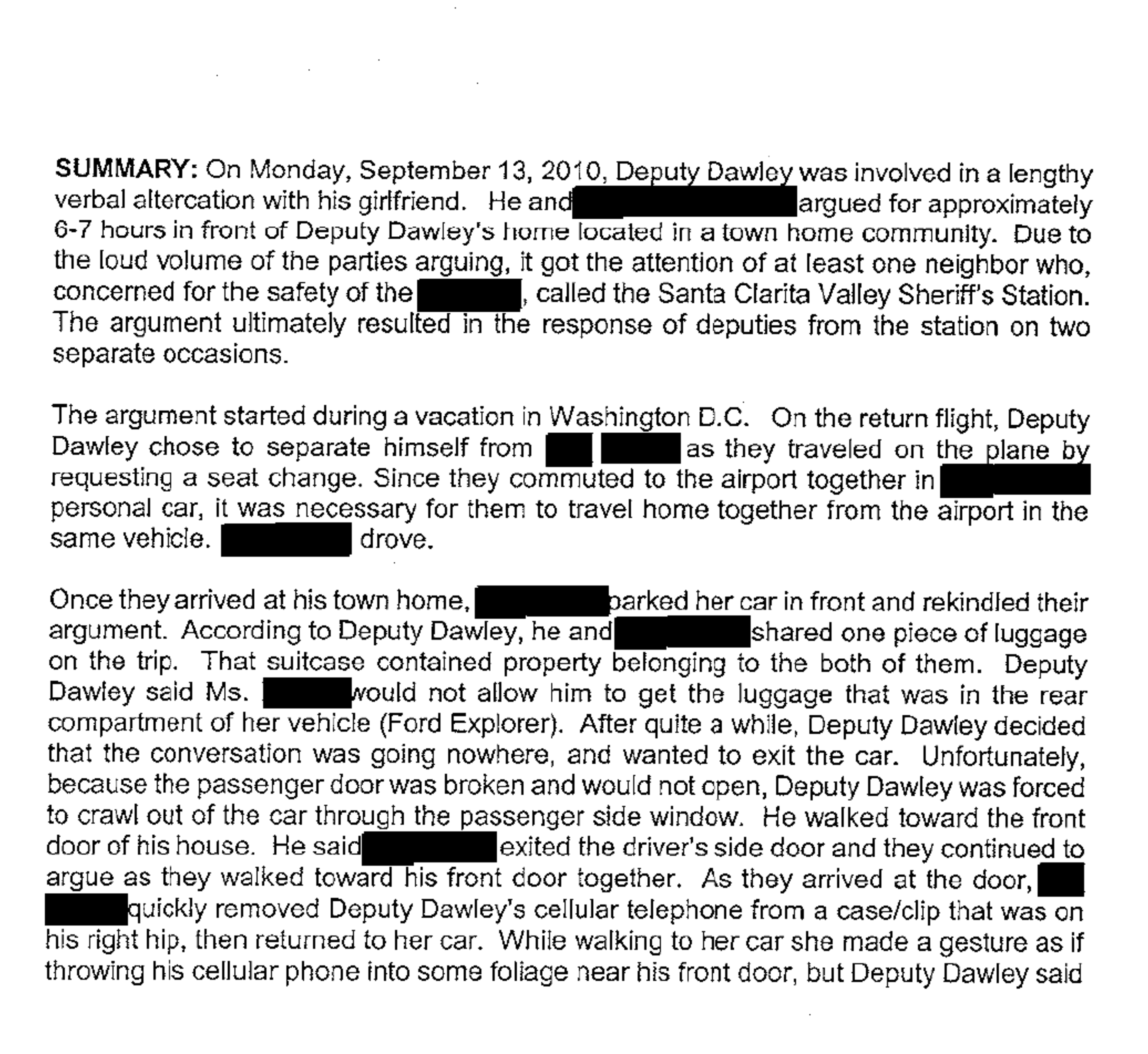
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CASE #IV 2274197



SUMMARY: On Monday, September 13, 2010, Deputy Dawley was involved in a lengthy verbal altercation with his girlfriend. He and [redacted] argued for approximately 6-7 hours in front of Deputy Dawley's home located in a town home community. Due to the loud volume of the parties arguing, it got the attention of at least one neighbor who, concerned for the safety of the [redacted], called the Santa Clarita Valley Sheriff's Station. The argument ultimately resulted in the response of deputies from the station on two separate occasions.

The argument started during a vacation in Washington D.C. On the return flight, Deputy Dawley chose to separate himself from [redacted] [redacted] as they traveled on the plane by requesting a seat change. Since they commuted to the airport together in [redacted] personal car, it was necessary for them to travel home together from the airport in the same vehicle. [redacted] drove.

Once they arrived at his town home, [redacted] parked her car in front and rekindled their argument. According to Deputy Dawley, he and [redacted] shared one piece of luggage on the trip. That suitcase contained property belonging to the both of them. Deputy Dawley said Ms. [redacted] would not allow him to get the luggage that was in the rear compartment of her vehicle (Ford Explorer). After quite a while, Deputy Dawley decided that the conversation was going nowhere, and wanted to exit the car. Unfortunately, because the passenger door was broken and would not open, Deputy Dawley was forced to crawl out of the car through the passenger side window. He walked toward the front door of his house. He said [redacted] exited the driver's side door and they continued to argue as they walked toward his front door together. As they arrived at the door, [redacted] quickly removed Deputy Dawley's cellular telephone from a case/clip that was on his right hip, then returned to her car. While walking to her car she made a gesture as if throwing his cellular phone into some foliage near his front door, but Deputy Dawley said

that he did not see anything actually being thrown. He followed her to the car and asked for the return of his phone and that he be able to get his property contained in the luggage, she refused. He asked [redacted] to return his phone several times and she again refused telling him that she threw his phone into the plants.

Deputy Dawley said he then searched for his phone in the bushes where the phone should have been for over two hours (approximately 1800-2000.) [redacted] remained in her car, waiting. During this time, they continued to banter back and forth between one another. Deputy Dawley believed that [redacted] did not leave because she wanted to talk to him. Later, after not locating his phone in the bushes, he believed that [redacted] could still have the phone in the car, so he agreed to talk to her hoping she would return it.

Deputy Dawley got back in the car with [redacted]. He sat in the passenger seat, she in the driver's seat. When asked, she said she did not have the phone because she threw it. Deputy Dawley began rifling through the front and rear cargo area of the car in search of his phone.

Note: This was the time she alleged that he took her car keys.

He was unable to locate his phone but did convince her to allow him to take the luggage, on the condition that he return to talk, after he put it in the house. He put the luggage with both their possessions in his house and returned to the car as promised.

Deputy Dawley said he got frustrated because of the situation with his phone, so he grabbed [redacted] phone from atop the center console area of her car, then left with it through the passenger door window. [redacted] said that Deputy Dawley grabbed her cell phone from her hand which was inconsistent with Deputy Dawley's recollection. Deputy Dawley said, [redacted] exited the driver's side of the car and followed Deputy Dawley asking for her phone as he went into the house, leaving her outside. She knocked on the front door until he came back outside with her phone approximately 5 minutes later. They continued to argue. By this time, per Deputy Dawley, it was approximately 2100 hours. [redacted] got back in the car as he remained outside of it. She and Deputy Dawley continued to argue/talk about their relationship and the phones through the passenger window of her car. He continued to ask for his phone. [redacted] said she did not have it and that she really threw it in the bushes. [redacted] said that Deputy Dawley appeared very frustrated and angry with her, acting out by kicking the passenger front door of her car, causing damage and leaving foot prints. Additionally, Witness [redacted] observed the damage, after the fact and stated that it appeared to be recent, as a dirty footprint was visible. The handling deputy from Santa Clarita Station (Deputy Rooney) noted in his report that footprints were visible on the door of the vehicle and provided pictures of the damage, consistent with the statement of [redacted]

Note: Deputy Dawley admitted that he may have leaned against the car with his foot at some point during the argument with [redacted] however, he denied that his kicked the car at any time.

Deputy Dawley then said he threw [redacted] cellular phone to the ground one time, causing it to break into several pieces as the arguing continued. [redacted] said that Deputy Dawley threw the phone to the ground twice, because it did not break the first time.

Deputy Dawley said he just wanted her to leave. He felt they were "even" after breaking her cellular phone and just wanted her to go home. He said she now asked for her clothes from the luggage and he told her he didn't have her clothes, even though he admitted to taking the luggage that contained her clothing into the house. Deputy Dawley said that in addition to her clothes, she was asking for her keys. He said he did not have her keys but did see them fall to the ground while they were arguing. He felt that based on the circumstances, he was not going to help her with the keys and tell her where he saw them fall. [redacted] said that she saw Deputy Dawley remove the keys from the ignition of her running car, and "escaped" through the open passenger side window before she could stop him. She said Deputy Dawley threw the keys into his house and closed the door as he remained outside and continued to argue with her.

Deputy Dawley said he went into the house and went to sleep somewhere between 2200-2230 hours.

> *Deputies from the Santa Clarita Sheriff's Station responded to his home on two separate occasions (SCT 10257-0013 and SCT 10256-0355). They arrived the first time at 2218 hours. The arrival time for the second call was at 0038 hours.*

During the first response by deputies, they were unable to make contact with Deputy Dawley. He failed to answer the front door. They spoke with [redacted] and left the location. [redacted] said that she told the responding deputies that everything was fine and there was no problem because she did not want Deputy Dawley to get in trouble. Deputy Dawley said he was unaware that deputies responded to his home until the next morning, because he is unable to hear his doorbell when he was in his upstairs bedroom. According to both [redacted] and Witness [redacted] Deputy Dawley was in fact outside after the indicated 2200-2230 time frame, after the responding deputies left. They both said that he came back outside between the two separate responses by deputies and that [redacted] and Deputy Dawley were still actively arguing during this time.

Santa Clarita Sheriff's Station was again called, this time by [redacted] after Deputy Dawley removed items from her car and refused to return them to her. She stated that when she commented about calling local law enforcement, Dawley stated, "go ahead, I'm above the law." Witness [redacted] also stated that she heard him comment about "knowing his rights, that he would just not answer the door and they could not do anything about it." Law enforcement was called at 0025 hours and arrived at 0038 hours. By this time Deputy Dawley had gone back inside his home. Again, they were unable to contact Deputy Dawley as he failed to answer the door. Deputies simply assisted [redacted] with her car trouble. An incident report documenting Burglary and Vandalism was ultimately generated naming Deputy Dawley as the suspect.

The report was dated 09-15-2011, URN 910-15286-0673-340.

Deputy Dawley was contacted the afternoon of Tuesday, September 14, 2010, by Lieutenant Lane Greenberg, in the presence of Sergeant Tim Hayes. Lieutenant Greenberg asked if he (Dawley) had anything to tell him. Deputy Dawley responded "is this regarding last night with [redacted]?" He said "well since you're asking, I guess deputies came to my house." Acknowledging the fact that he was aware of Department response. Deputy Dawley did not report the incident once he was aware that deputies responded to his home, nor did he report it once he arrived at Van Nuys Court for his scheduled shift. Deputy Dawley reported to work at 0830 and did not report the incident to supervisors until asked, despite having been at work for at least 3 ½ hours. Deputy Dawley failed to notify a supervisor of this off-duty incident per MPP section 3.01/050.30.

Attempting to mediate the situation between Deputy Dawley and [redacted] Lieutenant Greenberg asked about the property belonging to [redacted] Deputy Dawley denied having any property belonging to [redacted] He said he removed two pieces of luggage from her car, but they did not contain her property. Lieutenant Greenberg requested that Deputy Dawley "look around his house" to see if he could locate any property belonging to [redacted] The deputy agreed to conduct a search and advise the following day.

On Wednesday, September 15, 2010, Deputy Dawley was again contacted by Lieutenant Greenberg and asked if he had located any of the property that [redacted] alleged he took. Deputy Dawley said he had not. He repeated that he did not have her keys or any other property belonging to [redacted] Lieutenant Greenberg again asked Deputy Dawley to look around his house and if he were to find anything, to turn it in to his sergeant first thing the following morning (09-16-2010).

By noon, Thursday, September 16, 2010, Deputy Dawley had not spoken with Sergeant Tim Hayes, either confirming or denying the success of his search for any of [redacted] property. Sergeant Hayes therefore, had to walk to his courtroom and contact Deputy Dawley to determine the success of his search. It was only then that the Sergeant Hayes was handed several items by Deputy Dawley that he said belonged to [redacted] The items given to Sergeant Hayes were consistent with the items described by [redacted] during her previous discussions. These were the items Deputy Dawley told Lieutenant Greenberg he did not have when asked on Tuesday, September 14, 2010 and again on the 15th.

The property, brought in by Deputy Dawley, was returned to [redacted] on Friday, September 17, 2010 by Sgt. Munshi. [redacted] picked up her property at Van Nuys Court. This case was initially referred to ICIB for investigation. Criminal charges were not filed and the case was referred back to Court Services Division for completion of a unit level investigation. Following that initial inquiry of [redacted] by Lieutenant Greenberg, she refused to further cooperate with the investigation because of [redacted] Dawley.

DISCIPLINE ASSESSMENT

Review of Applicable "Guidelines For Discipline" Sections

The Department's Guidelines for Discipline lists the following analogous misconduct with associated disciplinary penalties:

General Conduct	(Embarrassment to Department)	W/R to Discharge
False Statement		10 Days to Discharge
Off-Duty Incidents (Notification to supervisor)		3-10 Days Suspension

Assessment of Mitigating and Aggravating Factors

Subject Deputy Jerome Dawley was involved in a lengthy argument with his [redacted] in front of his house. It was loud and in a public place. The duration of which was more than six hours.

Deputy Dawley demonstrated extreme anger during the event culminating with the destruction of [redacted] cellular phone and damage to her passenger side car door. On two separate occasions, he failed to acknowledge responding deputies and mitigate the situation.

Throughout the initial inquiry, Deputy Dawley failed to admit his culpability by denying possession of items he eventually presented for return. Had he simply returned the items at the request of his supervisor, this matter would have been mitigated.

Alcohol did not appear to be a factor in this incident.

Severity of Infraction:

Being involved in a loud disturbance lasting 6-7 hours, in a public place, requiring police response, twice, causes embarrassment to the Department. Vandalizing the personal property of another person, as well as the "holding hostage" of the property of another person, in retaliation, was not consistent with The Core Values of the Los Angeles County Sheriff's Department and in fact could be considered a crime. Failure to report an off-duty incident, and making false statements to a supervisor when questioned about that incident, are in direct violation of Department Policy.

Intent, Truthfulness and Acceptance of responsibility:

Subject Dawley was uncooperative and untruthful during the initial inquiry. He made false statements to supervisors regarding the taking and possession of property belonging to [redacted] Deputy Dawley had been provided several opportunities to admit to having [redacted] property, and several opportunities to return it in a timely fashion but refused do so.

Degree of Culpability

Subject Dawley admitted to being involved in this incident on Monday, September 13, 2010. He admitted destroying the personal property of [redacted] Although he did not initially admit to having property belonging to [redacted] he eventually provided the clothing, etc., as described to the deputies who responded to take a crime report on Monday, September 13, 2010. On Thursday, September 16, 2010, Deputy Dawley subsequently surrendered

the items to Sergeant Hayes for return to [redacted] Deputy Dawley remained less than cooperative for several days following the incident in question. Deputy Dawley denied kicking [redacted] car and denied knowing how footprints appeared on her vehicle as described, and photographed (See attached photos).

[redacted]

Other Factors

On Tuesday, September 14, 2010, had Deputy Dawley been completely forthcoming during the supervisory inquiry regarding the incident from the night before, this investigation could have been avoided. [redacted] only wanted her property returned and did not desire that Deputy Dawley be disciplined. [redacted] was, and is still, involved in a [redacted] with Deputy Dawley. They both describe [redacted] now than in September, 2010. Because of this, she was uncooperative during the latter portions of the investigation and refused to comment further.

Disposition

Based upon the foregoing assessment of mitigation and aggravating factors, the charges against the subject are founded and the following action is recommended.

__ Discharge
__ Reduction in Rank
_x Suspension with loss of pay for **15** days
__ Written Reprimand
__ Unresolved
__ Unfounded

LOS ANGELES COUNTY DISTRICT ATTORNEY
CHARGE EVALUATION WORKSHEET

X FELONY MISDEMEANOR	AGENCY NAME LASD - INTERNAL AFFAIRS AGENCY FILE NO. (DR OR URN) 910-00046-2003-441	DA CASE NO. 31120145 DA OFFICE CODE J.S.I.D. #10-0807R	DATE 06/03/2011 VICTIM ASSISTANCE REFERRAL ☐ YES – NOTIFY VWAP ☐ NO

SUSP NO.	SUSPECT	CHARGES: CODE	SECTION	OFFENSE DATE	REASON CODE
1	NAME (LAST, FIRST MIDDLE)) DAWLEY, JEROME	PC PC	459 594(A)	09/13/2010 09/13/2010	B,G B,G
	DOB [redacted] SEX (M/F) M BOOKING NO.	VIP -- Yes X No			
	Gang Member Name of Gang	Victim Gang Member Name of Gang:			
	Victim Name:	Victim DOB:			
2	NAME (LAST, FIRST MIDDLE))				
	DOB SEX (M/F) BOOKING NO.	VIP -- Yes – No			
	Gang Member Name of Gang				
3	NAME (LAST, FIRST MIDDLE))				
	DOB SEX (M/F) BOOKING NO.	VIP -- Yes – No			
	Gang Member Name of Gang				

Comments

SEE ATTACHED.

COMPLAINT DEPUTY (print)	COMPLAINT DEPUTY (SIGNATURE)	STATE BAR NO.	REVIEWING DEPUTY (SIGNATURE)
FERNANDO GUZMAN/ap	[signature]	134362	[signature] Sergio Gonzalez

I have conveyed all relevant information to the above-named Deputy District Attorney to be used in consideration of a filing decision.

FILING OFFICER (PRINT): WILLIAM CASSIDY FILING OFFICER (SIGNATURE): SERIAL #: NA

DEPARTMENT OF JUSTICE REASON CODES (FORM 8715)			DISTRICT ATTORNEY'S REASON CODES
A. Lack of Corpus B. Lack of Sufficient Evidence C. Inadmissible Search/Seizure	D. Victim Unavailable/Declines To Testify E. Witness Unavailable/Declines to Testify F. Combined with Other Counts/Cases G. Interest of Justice	H. Other (Indicate the reason in Comments section) I. Referred to Non-California Jurisdiction J. Deferred for Revocation of Parole K. Further Investigation	L. Prosecutor Prefiling Deferral M. Probation Violation filed in lieu of N. Referred to City Attorney for Misdemeanor Consideration

LAST NAME: DAWLEY FIRST NAME: JEROME DA CASE NUMBER: 31120145

MEMO TO FILE

TO: JSID #10-0807R

THROUGH: SERGIO GONZALEZ, Head Deputy
Justice System Integrity Division

FROM: FERNANDO GUZMAN, Deputy District Attorney
Justice System Integrity Division

RE: LASD Deputy Jerome Dawley
LASD File #910-00046-2003-441

DATE: May 23, 2011

The Justice System Integrity Division of the Los Angeles District Attorney's Office has completed its review of allegations that off-duty Los Angeles Sheriff's Department (LASD) Deputy Jerome Dawley burglarized a vehicle and vandalized a cellular telephone, in violation of Penal Code sections 459 and 594(a)(2). For the reasons set forth below, this office declines to initiate criminal proceedings.

The following analysis is based upon reports submitted to this office by Sergeant William Cassidy of the LASD, Internal Criminal Investigations Bureau.

Dawley became involved in an oral argument with his [redacted] while sitting in her car which was parked outside of his apartment. [redacted] threw Dawley's cellular phone into some nearby bushes. Dawley threw [redacted] phone to the ground, causing it to break. Dawley took [redacted] car keys and went into his apartment.

After [redacted] left the area, Dawley retrieved some of [redacted] property from her car and took it into his apartment. [redacted] called the police in order to get her keys back from Dawley. The next day Dawley was contacted by his supervisor, Lieutenant Lane Greenberg, and he returned [redacted] property.

On the day of the incident [redacted] stated that she was not desirous of prosecution. She only wanted her keys returned to her. When contacted by Sergeant Cassidy, she refused to provide a statement. She then signed a refusal to prosecute form. I spoke to [redacted] on May 13, 2011, and she reiterated this position. She felt that the situation had gotten "way out of control."

[redacted] is now involved in a much more serious relationship with Dawley. She regrets having called the police. She does not wish to cooperate with a prosecution. This investigation was closed without further investigation.



John E. Scott, Sheriff

County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



March 11, 2014

Deputy Jerome Dawley, #[redacted]

Dear Deputy Dawley:

You are hereby notified that pursuant to an Education-Based Discipline (EBD) Agreement between you and this Department dated May 10, 2012, you are suspended without pay from your position of Deputy Sheriff, Item No. 2708A, with this Department for a period of fifteen (15) days. However, pursuant to the amended EBD agreement, five (5) of the fifteen (15) days will be held in abeyance for a period of twelve (12) months which will end on July 9, 2014. All Department records will reflect, nevertheless, that you received a fifteen (15) day suspension. In accordance with the EBD Agreement, you have agreed to participate in an education-based alternative to discipline. Should you fail to complete any of the terms and conditions of the EBD Agreement, the five (5) days held in abeyance will be imposed.

The effective dates for the remaining ten (10) day suspension are from March 12, 2014, through March 21, 2014.

An investigation under IAB File Number 2274197, conducted by Court Services West Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual Policy and Procedures Sections 3-01/030.15, Conduct Toward Others; and/or 3-01/030.10, Obedience to Laws, Regulations and Orders; and/or 3-01/030.05, General Behavior, on or about September 13, 2010, you were involved in a lengthy verbal altercation with Complainant [redacted] ([redacted]) in a public place that drew the attention of the neighbors, as well as local law

enforcement. During this incident, you damaged Ms. [redacted] personal property (cell phone), and/or the passenger side door of her vehicle, and/or took into possession Ms. [redacted] personal property.

2. That in violation of Manual Policy and Procedures Section 3-01/040.70, False Statements, on or about September 14, 2010, and/or September 15, 2010, on numerous occasions you were questioned by your supervisor(s) as to the whereabouts of Ms. [redacted] property that you took into possession, on or about September 13, 2010. You denied to your supervisor(s) of having possession of Ms. [redacted] property on all occasions, although ultimately returning the item(s).

3. That in violation of Manual Policy and Procedures Section 3-01/050.30, Off-Duty Incidents, on or about September 13, 2010, you failed to report an off duty incident to your supervisor(s) where the local Sheriff's Station responded regarding an altercation with Ms. [redacted]

Additional facts for this decision are set forth in the Disposition Worksheet, Investigative Summary and Investigative Packet which are incorporated herein by reference.

Prior to imposing this disciplinary action, your unit commander has thoroughly reviewed the incident and your record with this Department.

You will hereby take notice that any future acts of misconduct may result in more severe disciplinary action.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

JOHN L. SCOTT, SHERIFF

Original Signed

Maria R. Gutierrez, Captain
Court Services West Bureau

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures.

MRG:AEA:md

c: Advocacy Unit
Chief Richard J. Barrantes, Court Services Division
Internal Affairs Bureau
Personnel Administration
Office of Independent Review (OIR)
Court Services West Bureau/Unit Personnel File

EDUCATION-BASED DISCIPLINE AGREEMENT

This Agreement is entered into between the Los Angeles County Sheriff's Department, hereinafter referred to as "Department," and Deputy Jerome Dawley, Employee No. [redacted] hereinafter referred to as "Deputy Dawley."

The Department and Deputy Dawley are parties to this dispute and desire to settle all issues involved in IAB No. 2274197 upon the terms and conditions hereinafter set forth.

NOW, THEREFORE, the Department and Deputy Dawley for and in consideration of the mutual covenants contained herein, agree as follows:

1. Both parties agree that the fifteen (15) day suspension shall stand.

2. The Department will, upon execution of this EBD Agreement, hold five (5) days in abeyance pending completion of the below listed training for a period of twelve (12) months from the date of execution of this EBD Agreement. The remaining ten (10) suspension days shall be imposed.

3. Both parties agree and understand that Deputy Dawley's records will reflect that the fifteen (15) day suspension was imposed and may be used for the purposes of demonstrating "progressive discipline." In addition, Deputy Dawley understands that he will be subjected to additional discipline for each and every founded violation of the Department's Manual of Policy and Procedures.

4. Deputy Dawley further agrees to attend and complete the below listed EBD course and understands that failure to complete the courses and assignments shall result in the imposition of the five (5) days held in abeyance:

- Lieutenant's Interactive Forum for Education (LIFE) class (8 hours)
- Anger Awareness-Management class (4 hours)
- Anger Management & Effective Communication class (8 hours)
- Relationship Management-Conflict Resolution class (4 hours)
- Dealing with Difficult People class (4 hours)
- Write an evaluation reflecting on your experience with the EBD process

5. The Department may adjust Deputy Dawley's schedule to participate in EBD courses and EBD items, as EBD is conducted on-duty.

6. Deputy Dawley agrees to cooperate with his Unit Commander to complete the courses as soon as practicable, but no longer than one (1) year from the date of execution of this EBD Agreement.

7. Deputy Dawley further agrees to waive any and all further administrative or judicial remedies with respect to the Letter of Imposition and the modified discipline, and also waives any administrative or judicial remedies with respect to any imposition pursuant to paragraph two (2), above. This waiver shall include, but not be limited to, appeals to the Los Angeles County Civil Service Commission and/or the Los Angeles County Employee Relations Commission.

8. The parties further agree that this EBD Agreement shall not be considered, cited, or used in future disputes as establishing past precedent or past employment practice.

9. In consideration of the terms and conditions set forth herein, Deputy Dawley agrees to fully release, acquit and forever discharge the County, and all present and former officers, employees and agents of the County, and their heirs, successors, assigns and legal representatives from any and all liability whatsoever for any and all claims arising out of or connected with the employment relationship between the County and Deputy Dawley concerning the subject matter referred to herein.

10. Deputy Dawley further agrees to relinquish and expressly waives all rights conferred upon him by the provisions of California Civil Code Section 1542, which reads as follows:

> *"A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."*

11. The date of the last signature placed hereon shall hereinafter be known as the "date of execution" and the "effective date" of this EBD Agreement.

12. The parties agree that the foregoing comprises the entire EBD Agreement between the parties and that there have been no other promises made by any party. Any modification of this EBD Agreement must be in writing.

I have read the foregoing EBD Agreement, and I accept and agree to the provisions contained therein and hereby execute it voluntarily and with full understanding of its consequences.

Date: 5/10/12	Date: 5/10/12
Jerome Dawley, Deputy	Lane D. Greenberg, A/Captain

AMENDMENT TO EBD AGREEMENT

This amendment to an EBD Agreement (hereinafter, "Amendment") is entered into between the Los Angeles County Sheriff's Department, (hereinafter referred to as "Department"), and Deputy Jerome Dawley, Employee Number [redacted] (hereinafter referred to as "Deputy Dawley ").

This Amendment modifies the EBD Agreement between the parties which was signed by Deputy Dawley and Captain Lane D. Greenberg, effective on May 10, 2012, (hereinafter referred to as "EBD Agreement"). The agreement and this Amendment resolve issues involved in the EBD Agreement under IAB No.2274197, upon the terms and conditions hereinafter set forth.

Now, therefore, the Department and Deputy Dawley, for and in consideration of mutual covenants contained in the EBD Agreement and herein, agree as follows.

1. Except as specifically modified in this Amendment, the EBD Agreement remains in effect.

2. The parties mutually agree that the term for completing the EBD terms will be extended to November 9, 2014.

3. The parties agree that the foregoing Amendment and the EBD Agreement comprise the entire agreement between the parties and there have been no other promises made by any party. Any modification of such agreement must be in writing.

I have read the foregoing Amendment and I accept and agree to the provisions contained therein and hereby execute it voluntarily and with full understanding of its consequences.

Date: 08-11-14

Deputy Jerome Dawley

For Sheriff's Department:

Date: 8/19/14

Captain James C. Thornton
Court Services West Bureau

PPI updated
ym
8/21/14